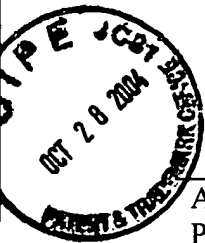


cofe



Atty. Docket No.: 20563/2144B PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rabiner et al.  
Patent No.: 6,802,835 **B2**  
Issued: October 12, 2004  
  
Entitled: Apparatus and Method for Using a  
Steerable Catheter Device  
Serial No.: 10/732,869  
Filed: December 10, 2003

Examiner: Van, Quang T.  
  
Group Art Unit: 3742  
  
Conf. No.: 6853

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated above in an envelope addressed to Mail Stop: Certificate of Correction, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop: Certificate of Correction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate**  
**NOV 02 2004**  
**of Correction**

**REQUEST FOR CERTIFICATE OF CORRECTION**

Sir:

Applicants request issuance of a Certificate of Correction for U.S. Patent No. 6,802,835 correcting claims 22 and 23 as outlined herein.

Pursuant to the Examiner's Amendment mailed with the Notice of Allowance on July 27, 2004 (attached) the Examiner's Amendment on page 2 states:

"Authorization for this examiner's amendment was given in a telephone interview with David J. Dykeman on July 26, 2004.

The application has been amended as follows:

In claim 25, line 1, delete "claim 22", and insert "--claim 15--"

In claim 26, line 1, delete "claim 22", and insert "--claim 15--"

Prior to patent issuance, claim 3 was cancelled. Thus, the claim 15 from the Examiner's Amendment should have been changed to claim 14 in the claims 22 and 23 of the issued patent.

Applicants respectfully request that a Certificate of Correction be issued for claims 22 and 23 changing the dependency from claim 15 to claim 14.

As this correction is necessitated by an error on the part of the Patent Office, no fee is due on the part of Applicants.

**Corrections to the Claims** are shown in the "Listing of Claims" which begins on page 2 of this paper.

NOV 04 2004

**CORRECTIONS TO THE CLAIMS**

The following Listing of the Claims 22 and 23 is based on the Examiner's Amendment of July 27, 2004. A marked up listing of the claims follows:

**LISTING OF CLAIMS 22 and 23:**

22. The steerable catheter device of claim 14 wherein the second lock adjusts a force required for longitudinal movement of the medical device relative to the catheter.
23. The steerable catheter device of claim 14 wherein the second lock controls a frictional resistance to longitudinal movement of the medical device relative to the catheter.

**MARKED-UP LISTING OF CLAIMS 22 and 23:**

22. The steerable catheter device of claim ~~15~~ 14 wherein the second lock adjusts a force required for longitudinal movement of the medical device relative to the catheter.
23. The steerable catheter device of claim ~~15~~ 14 wherein the second lock controls a frictional resistance to longitudinal movement of the medical device relative to the catheter.

Request for Certificate of Correction  
Patent No. 6,802,835  
Page 3

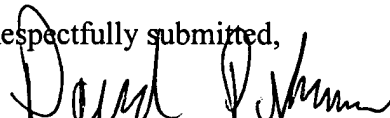
As this correction is necessitated by an error on the part of the Patent Office, Applicants believe no fee is due.

Applicants respectfully request a correction of the patent in your proper manner and issuance of a Certificate of Correction.

Please contact the undersigned Attorney of record with any questions.

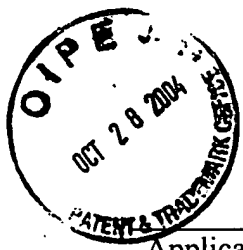
Date: October 25, 2004

Respectfully submitted,



Name: David J. Dykeman  
Registration No.: 46,678  
Customer No.: 29934  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100

NOV 04 2004



Atty. Docket No.: 20563/2144B PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rabiner et al.  
Patent No.: 6,802,835 B2  
Issued: October 12, 2004  
  
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Serial No.: 10/732,869  
Filed: December 10, 2003

Examiner: Van, Quang T.  
  
Group Art Unit: 3742  
  
Conf. No.: 6853

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

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David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Mail Stop: Certificate of Correction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**TRANSMITTAL LETTER**

Enclosed for filing the above-identified patent application, please find the following documents:

1. Request for Certificate of Correction;
2. Copy of Examiner's Amendment mailed with Notice of Allowance on July 27, 2004 showing correct claims 22 and 23; and
3. Return Postcard.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 20563/2144B. A duplicate of this transmittal letter is enclosed for this purpose.

Date: October 25, 2004

Respectfully submitted,

Name: David J. Dykeman

Registration No.: 46,678

Customer No.: 29934

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100

NOV 04 2004



COPY

Atty. Docket No.: 20563/2144B PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rabiner et al.  
Patent No.: 6,802,835  
Issued: October 12, 2004  
  
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Examiner: Van, Quang T.  
  
Group Art Unit: 3742  
  
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

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David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Mail Stop: Certificate of Correction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**TRANSMITTAL LETTER**

Enclosed for filing the above-identified patent application, please find the following documents:

1. Request for Certificate of Correction;
2. Copy of Examiner's Amendment mailed with Notice of Allowance on July 27, 2004 showing correct claims 22 and 23; and
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The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 20563/2144B. A duplicate of this transmittal letter is enclosed for this purpose.

Date: October 25, 2004

Respectfully submitted,

Name: David J. Dykeman

Registration No.: 46,678

Customer No.: 29934

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

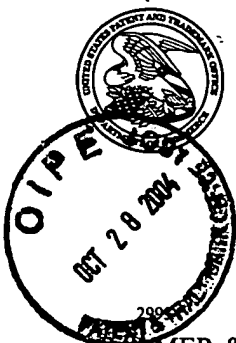
Tel: 617-239-0100

NOV 04 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE



7590 07/27/2004  
PALMER & DODGE, LLP  
RICHARD B. SMITH  
111 HUNTINGTON AVENUE  
BOSTON, MA 02199

Docketed

Response Due

Statutory Period

Palmer & Dodge LLP  
Patent Department

EXAMINER

VAN, QUANG T

ART UNIT

PAPER NUMBER

3742

DATE MAILED: 07/27/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,869	12/10/2003	Robert A. Rabiner	20563/2144B	6853

TITLE OF INVENTION: APPARATUS AND METHOD FOR USING A STEERABLE CATHETER DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	10/27/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail**

**Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
(703) 746-4000**

**or Fax**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

**CURRENT CORRESPONDENCE ADDRESS** (Note: Use Block 1 for any change of address)

29934 7590 07/27/2004

**PALMER & DODGE, LLP  
RICHARD B. SMITH  
111 HUNTINGTON AVENUE  
BOSTON, MA 02199**



**Note:** A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,869	12/10/2003	Robert A. Rabiner	20563/2144B	6853

**TITLE OF INVENTION:** APPARATUS AND METHOD FOR USING A STEERABLE CATHETER DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	10/27/2004

EXAMINER	ART UNIT	CLASS-SUBCLAS S
VAN, QUANG T	3742	604-528000

- 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).**
- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

- 2. For printing on the patent front page, list**

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

**3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**

**PLEASE NOTE:** Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

**(A) NAME OF ASSIGNEE**

**(B) RESIDENCE: (CITY and STATE OR COUNTRY)**

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☐ corporation or other private group entity ☐ government

**4a. The following fee(s) are enclosed:**

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

**4b. Payment of Fee(s):**

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

**5. Change in Entity Status (from status indicated above)**

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is not claiming SMALL ENTITY status. See, e.g., 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

**NOTE:** The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

(Authorized Signature)

(Date)

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMIT THIS FORM WITH FEE(S)**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,869	12/10/2003	Robert A. Rabiner	20563/2144B	6853
29934	7590	07/27/2004	EXAMINER	
PALMER & DODGE, LLP RICHARD B. SMITH 111 HUNTINGTON AVENUE BOSTON, MA 02199			VAN, QUANG T	
			ART UNIT	PAPER NUMBER
			3742	

DATE MAILED: 07/27/2004

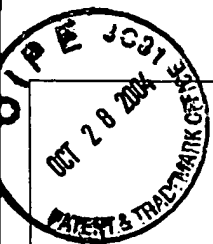
**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



# Notice of Allowability

Application No.	Applicant(s)	
10/732,869	RABINER ET AL.	
Examiner	Art Unit	
Quang T Van	3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to Amendment filed on 6/08/2004.
- ☒ The allowed claim(s) is/are 1,2,4-21,23 and 25-35.
- ☒ The drawings filed on 10 December 2003 are accepted by the Examiner.
- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - ☐ All
  - ☐ Some\*
  - ☐ Noneof the:
  - ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  - ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

Quang T Van  
Primary Examiner  
Art Unit: 3742



### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David J. Dykeman on July 26, 2004.

The application has been amended as follows:

In claim 25, line 1, delete "claim 22", and insert --claim 15--

In claim 26, line 1, delete "claim 22", and insert --claim 15--

### REASON FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: allowance of claims 1-2, 4-21, 23, and 25-35 is indicated because the prior art of record does not show or suggest a first lock comprising a resilient compressible lock member, the first lock supported by the handle for adjusting a force required for longitudinal movement of the flexible catheter relative to the sheath and for locking the flexible catheter relative to sheath along a longitudinal axis of the sheath as recited in claims 1-2, 4-14; a combination of a first lock support by the handle for controlling longitudinal movement of the catheter relative to the sheath, a second lock supported by the handle for controlling longitudinal movement of the medical device relative to the catheter, the second lock

comprising a resilient compressible lock member as recited in claims 15-21, 23 and 25-26; and the combination of the steps of locking the flexible catheter relative to the sheath with a first lock; inserting the medical device through a proximal end of the flexible catheter at a proximal end of the steerable catheter device; advancing the medical device to the treatment site; locking the medical device relative to the flexible catheter with a second lock; and removing the guidewire from the vasculature of the body as recited in claims 27-35.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T Van whose telephone number is 703-306-9162. The examiner can normally be reached on 8:00Am 7:00Pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 703-305-5766. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3742

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QV  
July 26, 2004



Quang T Van  
Primary Examiner  
Art Unit 3742